

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: : Chapter 11
: :
GROSSMAN'S, INC., et al., : Bankr. Case Nos. 97-695-PJW
: : 97-696-PJW
: : 97-697-PJW
: :
Debtors. : Adv. Proc. No. 07-51602-PJW
: :
: :
JELD-WEN, INC., f/k/a :
Grossman's Inc., :
: :
Appellant, :
: :
v. : Civil Action No. 08-427-JJF
: :
MARY VAN BRUNT and :
GORDON VAN BRUNT, :
: :
Appellees. :

O R D E R

WHEREAS, the Third Circuit reversed the Court's decision in the above-captioned action and remanded this matter to the Court for further proceedings in light of its decision to overrule Avellino & Bienes v. M. Frenville Co. (Matter of Frenville Co.), 744 F.2d 332 (3d Cir. 1984), which had been controlling precedent; see In re Grossman's Inc., -- F.3d --, 2010 WL 2181291 (3d Cir. June 2, 2010);

WHEREAS, in light of the Third Circuit's decision, this matter requires further proceedings in the Bankruptcy Court;

NOW THEREFORE, IT IS HEREBY ORDERED that the above-captioned action is REMANDED to the Bankruptcy Court for further findings

and/or proceedings consistent with the Third Circuit's decision.

June 29, 2010
DATE


UNITED STATES DISTRICT JUDGE